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Date: 1/03/05  
To: Examiner James Spear  
From: David W. Osborne  
Our Docket Number: 22912.US

Page 1 of: 4  
Facsimile Number: (571) 872-9306  
Transmitted By: DWO

Remarks:

Please forward the attached interview summary to Examiner James Spear of Group 1615.

Thank you,

  
David W. Osborne

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UNRECORDED

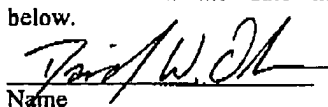
Docket No. 22912.US  
Serial No. 09/819,813

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT:	Kendrup et al.	<b>CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8</b>  I hereby certify under 37 CFR § 1.8 that this correspondence is being facsimile transmitted to the USPTO or being deposited with the United States Postal Service with sufficient postage as first class postage in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.   Name  1-03-05 Date of Deposit
SERIAL NO.:	09/819,813	
FILING DATE:	March 29, 2001	
FOR:	METHOD FOR PRODUCING A CONTROLLED RELEASE PREPARATION	
ART UNIT:	1615	
EXAMINER:	J. Spear	
DOCKET NO.:	22912.US	

THORPE NORTH & WESTERN, LLP  
8180 South 700 East, Suite 200  
Sandy, Utah 84070**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW  
UNDER 37 C.F.R. § 1.133(b)**Mail Stop Non-fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In view of the Examiner interview held November 4, 2004, please enter this Statement of  
the Substance of the Interview pursuant to the provisions of 37 C.F.R. § 1.133(b)

Docket No. 22912.US  
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**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

Applicants conducted an in-person interview with the Examiner on November 4, 2004. During the interview the Applicants' amendment filed on June 3, 2004 was discussed in view of the prior art of record. It was agreed that the prior art of record does not teach or suggest an oral dosage formulation having a coating comprised of pore forming agents of distinct size and proportion in the coating which imparts properties that produce a balanced solubility. Neither does the prior art teach or suggest a porous coating with the above-recited qualities that provides good mechanical strength requiring a force of from 18 N to 27 N to break, as compared to a force below 1N, while enabling desired controlled release patterns to be achieved.

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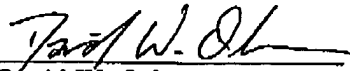
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**CONCLUSION**

If any questions or concerns about the present interview summary arise which can be addressed by telephone, the Examiner is invited to telephone the undersigned attorney, or in his absence, Mr. M. Wayne Western, at (801) 566-6633, so that such concerns may be resolved as expeditiously as possible.

Dated this 03 day of January, 2005.

Respectfully submitted,



David W. Osborne  
Attorney for Applicant  
Registration No. 44,989

M. Wayne Western  
Attorney for Applicant  
Registration No. 22,788

Of:

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MWW/DWO